

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LINDA LEWIS-RICE,

Plaintiff,

v.

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA,

Defendant.

Case No.: 1:07-cv-06525

**Judge Marvin E. Aspen
Magistrate Judge Arlander Keys**

**DEFENDANT'S UNOPPOSED MOTION FOR A SECOND SHORT ENLARGEMENT
OF TIME TO ANSWER OR OTHERWISE PLEAD**

Defendant The Prudential Insurance Company of America ("Prudential"), by its undersigned counsel respectfully moves this Honorable Court for entry of an order granting it a second short enlargement of time of fourteen (14) days within which to file its responsive pleadings to Plaintiff Linda Lewis-Rice's ("Plaintiff") Complaint and in support thereof states as follows:

1. On November 16, 2007, Plaintiff filed her Complaint with the United States District Court of the Northern District of Illinois. [Docket #1] Prudential was served on November 26, 2007. Prudential's responsive pleading is currently due on December 17, 2007.
2. Prudential moved for an initial extension of time on December 10, 2007 and was granted until January 16, 2008 to file its responsive pleading to Plaintiff's claim.
3. Unfortunately, despite all due diligence, Prudential has been unable to verify the applicability of the plan document attached to Plaintiff's Complaint and/or locate all plan documents applicable to Plaintiff's claim and requires an additional fourteen (14) days to

complete its search and attempts to verify the applicable plan documents and finalize its answer to Plaintiff's Complaint.

3. Counsel for Prudential, Edna S. Bailey, contacted Counsel for Plaintiff, Mark D. DeBofsky, on January 16, 2008, requesting his agreement to a fourteen day extension of time to file Prudential's responsive pleadings. Plaintiff's counsel has no objection to the relief requested.

4. Plaintiff will not be prejudiced by the grant of an extension of time to answer or otherwise plead to Prudential.

WHEREFORE, Defendant The Prudential Insurance Company of America respectfully requests that this Honorable Court grants it an additional fourteen (14) days to January 30, 2008 to file its responsive pleading to Plaintiff's Complaint.

Respectfully Submitted,

**THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA, Defendant**

By: /s/ Edna S. Bailey
One of Its Attorneys

Daniel J. McMahon
Edna S. Bailey
WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP
120 North La Salle Street, Suite 2600
Chicago, Illinois 60602
(312) 704-0550
(312) 704-1522

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on January 17, 2008, a copy of the foregoing was served by operation of the Court's electronic filing systems upon the following:

Attorney for Plaintiff

Mark D. DeBofsky
Daley DeBofsky & Bryant
55 West Monroe Street, Suite 2440
Chicago, Illinois 60602

Parties may access this filing through the Court's system.

/s/ Edna S. Bailey

Edna S. Bailey (IL 6277775)